

RICHARD E GREENE
Mayor of Arlington 1987 - 1997

May 23, 2010

Administrator Lisa Jackson
U. S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N. W.
Washington DC 20460

Re: Misleading the agency

Dear Administrator Jackson,

The purpose of this letter is to transmit the attached email message I sent to you on May 20, 2010, as I am told that EPA now puts a higher priority on regular mail and often ignores email messages. Therefore, please consider the attached as completing the text of this letter.

Since sending the message I have learned that OAQPS, OAR, and OGC have concealed certain files and findings of the AACM research – especially those containing data comparing the results of the AACM to traditional NESHAP methods of controlling the release of asbestos during demolition.

Further, I have been advised that the National Risk Management Research Laboratory has refused to publish the ORD comparison reports that reveal the superiority of AACM to traditional NESHAP practices.

References have been made to ongoing Libby litigation or other nonsensical and disingenuous excuses of why these files are being concealed.

Interestingly, these comparisons are obtained from monitoring and observing NESHAP demolition practices when it was known that such monitoring would occur. Can you imagine what the comparisons might look like if the monitoring was to be carried out, without prior notice, in more typical NESHAP demolitions? What we would learn is what we likely already know as documented in EPA publications that admit it is not possible to fully enforce NESHAP.

Apparently, even the inclusion of individuals with serious conflicts of interest on the peer review panels in direct violation of EPA ethical practice directives have not produced the result these operatives were looking for – a way to kill the AACM research. (The reason these conflicted individuals were allowed to serve was due to a ruling by EPA's general counsel that the agency's rules of ethical standards could not be imposed on contractors – EPA uses contractors to conduct peer reviews.)

I can't imagine more compelling evidence of the value of the AACM than to learn that this important information is being withheld from public view. Apparently, certain offices within EPA, together with the irrational opposition of certain

environmental organizations, labor unions and others are afraid if these files are released that such action would compel further research into the AACM or set into motion immediate rule making to add this option to NESHAP compliance.

Further, I am told that the EPA career scientist (now retired), who is the most knowledgeable EPA official on the subject of AACM, is preparing for you an item-by-item response to the great many errors, omissions, misrepresentations and fabrications contained in the May 17, 2010, letter you received from the several organizations attacking the AACM.

What is at stake here, Administrator, is nothing less than an EPA initiative to provide a higher level of protection for the American people from exposure to asbestos during demolition of dangerous old buildings which, if remain standing, themselves pose serious threats to their health, safety and welfare. And, the populations that are disproportionately exposed are often the poor and minority communities. (See further description of how this extraordinary risk is occasioned in the attached email.)

That knowledge of this breakthrough is being hidden from the American people is very wrong. Such a travesty is compounded not by some valid reason to withhold these files but by shameful reasons such as:

- Irrational disdain inside and outside of EPA for President George W. Bush and those who served in his administration – irrational because the AACM project is not an initiative of the Bush Administration but an initiative of the EPA beginning in the Clinton Administration and continued into the Obama Administration.
- Fear of loss of the financial largess in the demolition industries and those industries that train and certify asbestos workers occasioned by longstanding and inferior NESHAP practices.
- A desire by certain EPA offices, and the environmental organization that believes they control those offices, to prevent an objective review of the asbestos NESHAP apparently due to what is described as “too much work”.

I'm hoping that you will direct that all the information and all the comparisons from this important research is made publicly available consistent with President Obama's commitment to transparency in the handling of the people's business and your own demand that regulated entities and others not withhold nor conceal that which the American people have a right to see.

Respectfully,

Richard Greene
Regional Administrator (R6)
2003-2009

cc: Deputy Administrator Perciasepe